

## **AGENDA**

### **EXETER TOWN COUNCIL REGULAR MEETING**

**DECEMBER 6, 2021**  
**7:00 P.M.**

*As Governor McKee's Executive Order allowing Open Meetings to be held virtually and in-person (i.e., hybrid) during the Covid-19 Pandemic was not extended at its deadline, July 23, 2021, this meeting will be held IN PERSON ONLY as follows:*

**MEETING LOCATION: COUNCIL CHAMBERS, EXETER CLERK'S OFFICE  
675 TEN ROD ROAD, EXETER, RHODE ISLAND**

**No. 1: PLEDGE OF ALLEGIANCE: CALVIN A. ELLIS  
TOWN COUNCIL MEMBER**

**No. 2: CALL TO ORDER AND ROLL CALL**

**No. 3: PUBLIC COMMENT:**

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council, unless they are of an emergency nature. (3-minute time limit per item; 15-minute maximum time allowed for this agenda item).

Section 42-46-6 of the Open Meetings Act and the Town Council By-Laws prohibit the Town Council from deliberating, debating, or acting on previously unposted matters during the Public Comment section of the agenda.

State law prohibits the Town Council from acting or voting upon any such matter, except under emergency circumstances. The Town Council may only, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

**Accordingly, because the Council is obliged not to respond, the immediate silence of the Town Council Members relative to any matter raised by a speaker during Public Comment may not be construed as any endorsement, confirmation, acquiescence in, support of, or the taking of any position concerning, a matter raised by a member of the public under Public Comment.**

Public participants under Public Comment are also reminded that they must adhere to the dictates of Sections 115.B, 117 (Manner of Address), 119 (Decorum), and 120 (Enforcement) of the Council By-Laws in addressing the Council during a public meeting under Public Comment.

**No. 4: ACKNOWLEDGEMENTS AND ANNOUNCEMENTS**

- B. TOWN OF EXETER HOLIDAY CLOSURES:**  
**TUESDAY, DECEMBER 14, EMPLOYEE APPRECIATION LUNCHEON (12:00 P.M. – 1:00 P.M.)**  
**THURSDAY, DECEMBER 23, 2021 (CHRISTMAS EVE)**  
**FRIDAY, DECEMBER 24, 2021 (CHRISTMAS DAY)**  
**THURSDAY, DECEMBER 30, 2021, (1/2 DAY)**  
**(NEW YEAR’S EVE)**  
**FRIDAY, DECEMBER 31, 2021 (NEW YEAR’S DAY)**

**No. 5: APPROVAL OF AGENDA ORDER**

**No. 6: APPROVAL OF CONSENT AGENDA: Consent Agenda items are accepted in one motion, unless removed by a Council Member.**

- A. REYNOLDS CHARITABLE TRUST: Approval of Vouchers and Signing of Document.**
- B. REPORTS: Those removed by a Council Member will be addressed under Agenda Item No. 11.**

- 1. TOWN CLERK**
- 2. TREASURER**
- 3. TAX ASSESSOR**
- 4. TAX COLLECTOR**
- 5. TOWN PLANNER**
- 6. ANIMAL CONTROL**
- 7. TRANSFER STATION**
- 8. EXETER PUBLIC LIBRARY**
- 9. INFORMATION TECHNOLOGY**
- 10. DEPARTMENT OF PUBLIC WORKS**
- 11. DEPARTMENT OF SOCIAL SERVICES**
- 12. EMERGENCY MANAGEMENT/PUBLIC SAFETY**
- 13. RURAL LAND PRESERVATION TRUST COMMITTEE**

- 14. EXETER JOB CORPS ACADEMY
- 15. EXETER-WEST GREENWICH SCHOOL DISTRICT
- 16. EXETER-WEST GREENWICH REGIONAL SCHOOL BUILDING COMMITTEE

C. COMMUNICATIONS: See Appendix A attached hereto and incorporated herein. Those removed by a Council Member will be addressed under Agenda Item No. 13.

D. SCHEDULE OF DECEMBER MEETINGS AND EVENTS

E. BILLS, APPROPRIATIONS, AND ABATEMENTS:

- 1. BILL SHEET
- 2. TAX ASSESSOR'S ABATEMENTS
- 3. TAX COLLECTOR'S REMITTANCES AND ABATEMENTS

F. APPROVAL OF MINUTES:

- 1. COUNCIL REGULAR MEETING, OCTOBER 4, 2021
- 2. COUNCIL REGULAR MEETING, EXECUTIVE SESSION, OCTOBER 4, 2021
- 3. COUNCIL REGULAR MEETING, NOVEMBER 1, 2021
- 4. COUNCIL REGULAR MEETING, EXECUTIVE SESSION, NOVEMBER 1, 2021

G. APPROVAL OF:

- 1. 2022 TOWN COUNCIL REGULAR MEETING SCHEDULE
- 2. 2022 EMPLOYEE HOLIDAY SCHEDULE

No. 7: VACANCIES AND APPOINTMENTS:

A. VACANCIES:

- 1. PERSONNEL BOARD MEMBERS (5 MEMBERS NEEDED)
- 2. CONSERVATION COMMISSION (7 MEMBERS NEEDED)

B. RESIGNATIONS:

- 1. ANIMAL CONTROL OFFICER: KATHRYN LEVIN

**C. APPOINTMENTS:**

- 1. JUVENILE HEARING BOARD MEMBERS (TWO NEEDED FOR THREE-YEAR TERM BEGINNING DATE OF APPOINTMENT; ONE NEEDED FOR UNEXPIRED TERM ENDING MARCH 4, 2022)**
- 2. PUBLIC WORKS WORKER**

**D. EXPIRING TERMS**

**No. 8: PUBLIC HEARINGS**

**No. 9: NEW BUSINESS:**

- A. EXTENSION AND RENEWAL OF DECLARATION OF MUNICIPAL STATE OF EMERGENCY**
- B. DEALER IN JUNK LICENSE APPLICATION RENEWAL: DONNA RAYMOND, APPLICANT, 88 BLACK PLAIN ROAD, EXETER, RHODE ISLAND**
- C. RUBBISH REMOVAL LICENSE APPLICATION RENEWAL: REPUBLIC SERVICES, APPLICANT, 1080 AIRPORT ROAD, FALL RIVER, MASSACHUSETTS**
- D. PRIVATE INVESTIGATOR'S LICENSE APPLICATION: DOUG WHITE, APPLICANT, 27 PRESERVATION DRIVE, SAUNDERSTOWN, RHODE ISLAND**
- E. EXETER PUBLIC LIBRARY: RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT RECREATION GRANT**
- F. EXETER CLERK'S OFFICE BUILDING: PUBLIC NOTIFICATION SIGN**

**No. 10: UNFINISHED BUSINESS:**

- A. STATUS: TRANSFER STATION PURCHASE**
- B. DISCUSSION AND POSSIBLE ACTION: CHARTER CHANGES: FINANCIAL TOWN MEETINGS**
- C. STATUS: SPLIT ROCK MOBILE HOME PARK LICENSE RENEWAL: ELECTRICAL AND BUILDING ISSUES**

- D. PUBLIC MEETINGS: LIVE STREAMING AND VIDEO CONFERENCING**
- E. DISCUSSION AND POSSIBLE ACTION: USE OF AMERICAN RESCUE PLAN ACT OF 2021 FUNDS**
- F. STATUS OF CLOSURE: F&G SALVAGE CO., INC., 530 NOOSENECK HILL ROAD**
- G. STATUS: REQUEST OF PLANNING BOARD REVIEW: DARK SKY ORDINANCE**

**No. 11: REPORTS OF OFFICERS, BOARDS, AND COMMITTEES:**

- A. TOWN COUNCIL ASSISTANT'S REPORT:  
Town Council Assistant, Kenneth G. Findlay**
- B. SOLICITOR'S REPORT: James P. Marusak, Esq.**
- C. REPORTS REMOVED FROM CONSENT AGENDA**

**No. 12: OTHER ADMINISTRATIVE ISSUES**

**No. 13: COMMUNICATIONS**

**No. 14: EXECUTIVE SESSION:**

- A. CURRENT/FUTURE LITIGATION:**
  - 1. GREEN DEVELOPMENT V. TOWN OF EXETER ET ALS (SIX CASES)**
  - 2. DiGREGORIO V. LAWLER ET AL (TWO CASES)**
  - 3. ASA V. DAVIS III V. TOWN OF EXETER (SIX CASES)**
  - 4. EXETER WEST GREENWICH REGIONAL SCHOOL DISTRICT V. TOWN OF EXETER ET AL (C.A. NO. KC-2021-0573)**
- B. POTENTIAL LITIGATION:**
  - 1. DOG COMPLAINTS: SUNDERLAND ROAD**
  - 2. STATUS: DEPARTMENT OF ENVIRONMENTAL MANAGEMENT: NOTICE OF VIOLATIONS, TOWN GARAGE, 175 SOUTH COUNTY TRAIL**

- C. PERSONNEL ISSUES
- D. LABOR NEGOTIATIONS
- E. INVESTIGATIVE MATTERS:
  - 1. DOG COMPLAINTS: SUNDERLAND ROAD
  - 2. STATUS: DEPARTMENT OF ENVIRONMENTAL MANAGEMENT: NOTICE OF VIOLATIONS, TOWN GARAGE, 175 SOUTH COUNTY TRAIL
  - 3. SPLIT ROCK VIOLATIONS
  - 4. POTENTIAL ZONING VIOLATIONS – RI GROWS
- F. TRANSFER STATION PURCHASE

No. 15: ADJOURNMENT

**POSTED DECEMBER 1, 2021, AT TOWN OF EXETER CLERK'S OFFICE, PUBLIC LIBRARY, AND POST OFFICE, AND ON SECRETARY OF STATE'S AND TOWN OF EXETER'S WEBSITES**

The public is welcome to attend any meeting or work session of the Exeter Town Council, or its committees, boards, or commissions, with the exception of the Juvenile Hearing Board. If communications assistance or other accommodation is required to ensure equal participation, please contact the Exeter Town Clerk's Office two business days prior to the meeting during normal business hours, 9:00 a.m. to 4:00 p.m., at (401) 294-3891 or [clerk@exeterri.gov](mailto:clerk@exeterri.gov). The Exeter Clerk's Office is handicapped accessible.

## **APPENDIX A**

### **No. 6C      Communications:**

- No. 1    11/08/2021    SBA Communications Corp: Revenue Sharing Details by Tenant, November 2021**
- No. 2    11/08/2021    Michael Cerullo, Jr., LMHC: Further background material with link for exploration of Dark Sky Ordinance**
- No. 3    11/09/2021    Southern New England Truck Pullers Inc.: \$250.00 donation to the Exeter Food Bank**
- No. 4    11/15/2021    Kingston Hill Academy: Response to Town of Exeter regarding parking issues on Plantation Drive**
- No. 5    11/19/2021    North Smithfield Public Schools: Resolution for Change to Rhode Island General Law 16-7-40 (c) and (d) aligning the Expiration of all six temporary Housing Aid bonuses and affords LEAs an additional year in planning and construction lost addressing COVID-19, along with the global supply chain challenge**
- No. 6    11/22/2021    Office of the State Fire Marshal, Explosives Operations Division: Notice of Blasting Permit, BP-21-32, Class B General Above Ground, 560 South County Trail. November 24, 2021 through November 26, 2021**
- No. 7    11/08/2021    SBA Communications Corp: Revenue Sharing Details by Tenant, December 2021**
- No. 8    11/30/2021    Rhode Island Department of Environmental Management Office of Water Resources: Public Notice of Proposed Rulemaking, Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, December 6, 2021, 11:00 a.m., Rhode Island Department of Environmental Management, 235 Promenade Street, Room 300, Providence, Rhode Island**